

REMARKS

The Applicant thanks the Examiner for the telephone interview conducted on January 9, 2008 during which was discussed the shape of the core. It was agreed that the shape of the core of the present invention could be better defined in the claims and thereby distinguish the claims from the cited art.

Claims 1-3 and 5-20 are pending in the present application. Claim 4 has been cancelled by way of a previous amendment.

Claim 1 has been amended to better define the shape of the core. In particular, it has been recognized that describing the core as “planar” may be confusing, since the core is a three-dimensional object and the term “planar” is perhaps best used to describe two-dimensional objects. Instead, claim 1 has been amended to define the core as “formed to have two parallel planar surfaces”. Claim 1 has also been amended to provide clarity to the movement of the flexible track.

The Examiner has rejected claims 1-3 and 5-20 under 35 U.S.C. § 102(b) as being anticipated by US Patent No. 6,094,190 to Kodim (hereinafter “Kodim”).

Claim 1, as amended, requires that the core be “formed to have two parallel planar surfaces” and to include a peripheral edge. Such a core contrasts with the solid form-keeping core 7 having a deformed sphere shape as disclosed by Kodim. The Kodim device is designed to reduce the height of the device while

maintaining an exposed part spheroid portion of a size and curvature that is comfortable for the user and discloses a controller in the form of a continuous membrane of elastomeric material stretched around in a wrinkle free manner a solid form keeping core held captive in a housing so that by applying finger pressure to the uppermost exposed part spheroid portion of the membrane, the membrane can slide on the core, to produce a corresponding output signal from one or more motion detectors.

Claim 5 has been amended for clarity.

Claim 6 has been amended for consistency with amended claim 1, on which claim 6 indirectly depends.

The shape of the core in the present application may be described as a truncated disk. In contrast, the core in Kodim may be described as a deformed sphere. It may be considered that the input generating device in Kodim has advantages over the input generating device of the present application. In particular, the Kodim device allows for directing of a navigational function in all directions in a plane. In contrast, the input device of the present application only allows for directing of a navigational function in two directions. However, the input device of the present application may be seen to have an advantage over the input generating device in Kodim, that advantage being a reduced space requirement. While input generating device in Kodim is designed to be used on a

broad flat surface of a device, the input device of the present application is better suited for use on a thin edge of a device.

As Kodim does not disclose or suggest a core “formed to have two parallel planar surfaces”, it is submitted that Kodim cannot anticipate claim 1. It is respectfully requested that the Examiner remove the rejection of claim 1, and claims 2, 3 and 5-13 dependent thereon, on that basis.

Claim 14 has been amended to better define the shape of the core. In particular, claim 14 has been amended to define the core as “formed to have two parallel planar surfaces”. Claim 14 has also been amended to provide clarity to the movement of the flexible track.

Claim 19 has been amended for clarity and for consistency with amended claim 14, on which claim 19 indirectly depends.

Claim 20 has been amended for clarity.

As Kodim does not disclose or suggest a core “formed to have two parallel planar surfaces”, it is submitted that Kodim cannot anticipate claim 14. It is respectfully requested that the Examiner remove the rejection of claim 14, and claims 15-20 dependent thereon, on that basis.

Application No. 10/788,973
Amendment dated January 25, 2008
Reply to Office Action of November 27, 2007

In view of the foregoing, the applicant respectfully submits that claims 1-3 and 5-20 are now in condition for allowance. Favorable reconsideration and allowance of claims 1-3 and 5-20 are respectfully requested.

Respectfully submitted,
CHYC, Paul et al

By: / Robert H. Kelly /

Robert H. Kelly
Registration No. 33,922

SCHEEF & STONE, L.L.P.
5956 Sherry Lane, Suite 1400
Dallas, Texas 75225
Telephone: (214) 706-4201
Fax: (214) 706-4242
robert.kelly@scheefandstone.com